

### Substitute House Bill No. 6677

## Public Act No. 13-211

# AN ACT EXCLUDING SCHOOL ACCOMMODATIONS FROM SERVICES THAT ARE SUBJECT TO THE LARCENY STATUTES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (a) of section 53a-118 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) The following definitions are applicable to this part: (1) "Property" means any money, personal property, real property, thing in action, evidence of debt or contract, or article of value of any kind. Commodities of a public utility nature such as gas, electricity, steam and water constitute property, but the supplying of such a commodity to premises from an outside source by means of wires, pipes, conduits or other equipment shall be deemed a rendition of a service rather than a sale or delivery of property. (2) "Obtain" includes, but is not limited to, the bringing about of a transfer or purported transfer of property or of a legal interest therein, whether to the obtainer or another. (3) To "deprive" another of property means (A) to withhold it or cause it to be withheld from him permanently or for so extended a period or under such circumstances that the major portion of its economic value or benefit is lost to him, or (B) to dispose of the property in such manner or under such circumstances as to render it unlikely that an owner will

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recover such property. (4) To "appropriate" property of another to oneself or a third person means (A) to exercise control over it, or to aid a third person to exercise control over it, permanently or for so extended a period or under such circumstances as to acquire the major portion of its economic value or benefit, or (B) to dispose of the property for the benefit of oneself or a third person. (5) An "owner" means any person who has a right to possession superior to that of a taker, obtainer or withholder. (6) To "receive" means to acquire possession, control or title, or to lend on the security of the property. (7) "Service" includes, but is not limited to, labor, professional service, public utility and transportation service, the supplying of hotel accommodations, restaurant services, entertainment, supplying of equipment for use, but does not include school accommodations provided by a school district to (A) a child or an emancipated minor, or (B) a pupil eighteen years of age or older who was a homeless person, as defined in subdivision (3) of section 8-355, at the time of the offense. (8) "Check" means any check, draft or similar sight order for the payment of money which is not postdated with respect to the time of issuance. (9) "Drawer" of a check means a person whose name appears thereon as the primary obligor, whether the actual signature be that of himself or of a person purportedly authorized to draw the check in his behalf. (10) "Representative drawer" means a person who signs a check as drawer in a representative capacity or as agent of the person whose name appears thereon as the principal drawer or obligor. (11) A person "issues" a check when, as a drawer or representative drawer thereof, he delivers it or causes it to be delivered to a person who thereby acquires a right against the drawer with respect to such check. One who draws a check with intent that it be so delivered is deemed to have issued it if the delivery occurs. (12) A person "passes" a check when, being a payee, holder or bearer of a check which previously has been or purports to have been drawn and issued by another, he delivers it, for a purpose other than collection, to a third person who thereby acquires a right

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with respect thereto. (13) "Funds" means money or credit. (14) A drawer has "insufficient funds" with a drawee to cover a check when he has no funds or account whatever, or funds in an amount less than that of the check; and a check dishonored for "no account" shall also be deemed to have been dishonored for "insufficient funds". (15) "Credit" means an arrangement or understanding with a bank or depository for the payment of a check, draft or order in full on presentation.

Approved June 24, 2013